

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus *et al.*

Serial No.: 09/606,740

Filed: June 23, 2000

For: "*Corynebacterium glutamicum* Genes Encoding Metabolic Pathway Proteins"

Attorney Docket No.: BGI-121CP

Group Art Unit: 1652

Examiner: C. Fronda

11/a
J.C.J
4/9/03

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Commissioner for Patents
Washington, D.C. 20231

"Express Mail" mailing label number EV 244 878 424 US Date of Deposit March 27, 2003
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231

Signature

Please Print Name of Person Signing

**PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT**

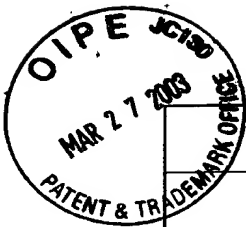
Dear Sir:

This paper is in response to an Office communication mailed September 27, 2002 (Paper No. 9). Prior to examination of the above-identified application, please amend the application as follows:

In the claims:

Please amend claims 1 and 3-7 as follows:

a! 1. (Amended) An isolated nucleic acid molecule comprising the nucleotide sequence of SEQ ID NO:1, SEQ ID NO:3, SEQ ID NO:7, SEQ ID NO:9, SEQ ID NO:11, SEQ ID NO:13, SEQ ID NO:15, SEQ ID NO:17, SEQ ID NO:21, or SEQ ID NO:23, or a complement thereof.



03-28-03

16628

AMENDMENT TRANSMITTAL LETTER

Docket No.
BGI-121CP

Application No.
09/606740

Filing Date
June 23, 2000

Examiner
C. Fronda

Art Unit
1652

Applicant(s): Markus Pompejus, *et al.*

Invention: CORYNEBACTERIUM GLUTAMICUM GENES ENCODING METABOLIC PATHWAY PROTEINS

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	50	- 52 =	0	x	0.00
Independent Claims	15	- 15 =	0	x	0.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					0.00
Other fee (please specify): Extension for response within fifth month					1,970.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					1,970.00

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☒ Please charge Deposit Account No. 12-0080 in the amount of \$ 1,970.00.
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-0080 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Lisa M. DiRocco

Lisa M. DiRocco
Attorney Reg. No.: 51,619

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400

Dated: March 27, 2003

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Dated: March 27, 2003

Signature:

Larry Taylor (Larry Taylor)



PTO/SB/17 (01-03)
Approved for use through 04/30/2003. OMB 0651-0032
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,970.00

Complete if Known

Application Number 09/606740
Filing Date June 23, 2000
First Named Inventor Markus Pompejus
Examiner Name C. Fronda
Group Art Unit 1652
Attorney Docket No. BGI-121CP

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

12-0080

Deposit Account Name

Lahive & Cockfield, LLP

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	750	375	Utility filing fee	
1002	2002	330	165	Design filing fee	
1003	2003	520	260	Plant filing fee	
1004	2004	750	375	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	
SUBTOTAL (1)					0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
52	-52** =		0.00
15	-15** =		0.00
Multiple Dependent			0.00

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	2202	18	9	Claims in excess of 20	
1201	2201	84	42	Independent claims in excess of 3	
1203	2203	280	140	Multiple dependent claim, if not paid	
1204	2204	84	42	** Reissue independent claims over original patent	
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	130	65	Surcharge - late filing fee or oath	
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet	
1053	1053	130	130	Non-English specification	
1812	1812	2,520	2,520	For filing a request for ex parte reexamination	
1804	1804	920*	920*	Requesting publication of SIR prior to Examiner action	
1805	1805	1,840*	1,840*	Requesting publication of SIR after Examiner action	
1251	2251	110	55	Extension for reply within first month	
1252	2252	410	205	Extension for reply within second month	
1253	2253	930	465	Extension for reply within third month	
1254	2254	1,450	725	Extension for reply within fourth month	
1255	2255	1,970	985	Extension for reply within fifth month	1,970.00
1401	2401	320	160	Notice of Appeal	
1402	2402	320	160	Filing a brief in support of an appeal	
1403	2403	280	140	Request for oral hearing	
1451	1451	1,510	1,510	Petition to institute a public use proceeding	
1452	2452	110	55	Petition to revive - unavoidable	
1453	2453	1,300	650	Petition to revive - unintentional	
1501	2501	1,300	650	Utility issue fee (or reissue)	
1502	2502	470	235	Design issue fee	
1503	2503	630	315	Plant issue fee	
1460	1460	130	130	Petitions to the Commissioner	
1807	1807	50	50	Processing fee under 37 CFR 1.17(q)	
1806	1806	180	180	Submission of Information Disclosure Stmt	
8021	8021	40	40	Recording each patent assignment per property (times number of properties)	
1809	2809	750	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	2810	750	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	2801	750	375	Request for Continued Examination (RCE)	
1802	1802	900	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,970.00

SUBMITTED BY

Name (Print/Type) Lisa M. DiRocco

Registration No. (Attorney/Agent)

51,619

Complete (if applicable)

Telephone (617) 227-7400

Signature

Lisa M. DiRocco

Date

March 27, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 244 878 424 US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20261, on the date shown below.

Dated: March 27, 2003

Signature:

Larry Taylor Larry Taylor